

REMARKS

Pursuant to the present amendment, claims 1, 26, 34, 49, 51, 55, 63, 64, 75, 76 and 80-81 have been amended, and claims 7-8, 37 and 73 have been canceled. Thus, claims 1-6, 9-36, 38-72 and 74-81 are pending in the present application. No new matter has been introduced by way of the present amendment. Reconsideration of the present application is respectfully requested.

In the Office Action, the Examiner objected to the Abstract submitted with the present application. Submitted herein is a revised Abstract that is believed to overcome the deficiencies mentioned by the Examiner.

In the Office Action, the Examiner objected to various claim informalities with respect to claims 26, 49, 51, 55, 63, 64, 65, 75, 76 and 80-81. Pursuant to the present amendment, all of these claims, except claims 64 and 64, have been amended in a manner that is believed to overcome the Examiner's objections. Withdrawal of the objections is respectfully requested for all of the above claims except claims 64 and 65 based upon the present amendments.

The Examiner's objections to certain language in claims 64 and 65 is not understood. For example, the Examiner refers to "line 10" in claim 64 (Office Action, p. 3). Claim 64 only has eight lines. Moreover, it is believed that the language in claims 64 and 65 is clear and concise. Withdrawal of the objections to claims 64 and 65 is respectfully requested. Of course, perhaps after the Examiner has reviewed the present response, a teleconference can be held to better understand any remaining claim objections the Examiner may have.

In the Office Action, claims 1, 7-10, 14-18, 34-36, 42-43, 46-49, 64-66, 70-72, 76 and 78-80 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by Hosoya (U.S. Patent Publication 2004/0195836). Claims 4, 11, 12, 39, 44, 45, 74, 77 and 81 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Hosoya. Claims 67-69 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Hosoya in view of Applicant's admitted prior

art. Claims 2-3, 5-6, 19-33, 50-63, 73 and 75 were rejected under 35 U.S.C. § 103 as allegedly being obvious over Hosoya in view of Huntsinger (U.S. Patent No. 3,080,179). Applicant respectfully traverses the Examiner's rejections.

As the Examiner well knows, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991); M.P.E.P. § 2142. Moreover, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (CCPA 1974). If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988); M.P.E.P. § 2143.03.

With respect to alleged obviousness, there must be something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination. *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561 (Fed. Cir. 1986). In fact, the absence of a suggestion to combine is dispositive in an obviousness determination. *Gambro Lundia AB v. Baxter Healthcare Corp.*, 110 F.3d 1573 (Fed. Cir. 1997). The mere fact that the prior art can be combined or modified does not make the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990); M.P.E.P. § 2143.01. The consistent criterion for determining obviousness is whether the prior art would have suggested to one of ordinary skill in the art that the process should be carried out

and would have a reasonable likelihood of success, viewed in the light of the prior art. Both the suggestion and the expectation of success must be founded in the prior art, not in the Applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991; *In re O'Farrell*, 853 F.2d 894 (Fed. Cir. 1988); M.P.E.P. § 2142.

Pursuant to the present amendment, independent claim 1 has been amended to recite a sealing interface between an exterior sealing surface of said pin connector and an interior sealing surface of said box connector, wherein said sealing interface is established by providing an interference fit between said exterior sealing surface of said pin connector and said interior sealing surface of said box connector. As thus amended, it is respectfully submitted that amended claim 1 is allowable over the prior art of record.

It is respectfully submitted that the Examiner's primary reference, Hosoya, does not anticipate nor render obvious the invention defined in amended independent claim 1, when considered individually or in combination with any other prior art of record. Hosoya is specifically directed to connecting pipes comprised of materials that are difficult to weld together. ¶¶ 1, 2. Hosoya even notes that even if these pipes are joined together by welding, they exhibit insufficient joint strength in high temperature applications. ¶ 2. Hosoya goes on to note that other methods of joining pipes made of such material have been attempted, wherein such methods do not involve melting the material. ¶ 3. Hosoya notes that such methods produced connections which exhibited low mechanical strength. Hosoya goes on to note that the threaded connections have also been employed with such pipes. However, according to Hosoya, the sealing ability and strength of such threaded connections is unsuitable for high temperature applications.

To that end, Hosoya disclosed pipe sections that have threads formed thereon. The threads conform to API Standard 5B. Importantly, Hosoya notes the joints 4, 5 are welded to

provide an air-tight seal. Obviously, prior to welding, the threaded connection itself did not provide such an air-tight seal. That is, the joint in Hosoya provides an internal weld 7 and an external weld 9 to achieve the stated air-tight seal.

As indicated above, Hosoya does not disclose or suggest the invention set forth in amended claim 1. More specifically, claim 1 requires that a sealing interface is established by an interference fit between an exterior sealing surface of the pin connector and an internal sealing surface of the box connector. Such a device is simply not disclosed or even remotely suggested by Hosoya, or any other art of record. On page 5 of the Office Action, the Examiner asserts that Hosoya discloses “an interference fit.” Applicant respectfully disagrees. It is noted that the Examiner did not provide any specific citation to the disclosure of Hosoya to support this assertion. The undersigned has reviewed Hosoya and cannot identify any support for such a statement. Thus, it is respectfully submitted that amended independent claim 1, and all claims depending therefrom, are in condition for immediate allowance.

Moreover, it is believed that the arguments set forth above regarding Hosoya failing to disclose or suggest the claimed interference fit apply equally to dependent claims 23, 36 and 51. Thus, these dependent claims are likewise believed to be in condition for allowance.

Independent claim 19 is likewise believed to be allowable for similar reasons to that set forth above for claim 1. Claim 19 calls for a sealing interface between an exterior surface of the pin connector and an interior surface of the box connector. Claim 19 does not specifically provide that the sealing interface is due to an interference fit. However, in view of the fact that Hosoya does not disclose any type of sealing interface between the threaded connections (other than the weld joints), it is believed that claim 19 is likewise allowable over the prior art of record.

Independent claim 19 is believed to be allowable over the prior art of record for additional reasons. Claim 19 was rejected based upon the combination of Hosoya and Huntsinger. Claim 19 requires, among other things, that the second section of pipe is comprised of a plurality of lengths of pipe that are butt-welded together. As indicated above, Hosoya is directed to a connection method for pipes which are difficult to weld. ¶ 2. Hosoya certainly does not disclose or even suggest that the pipe materials disclosed therein are to be butt-welded to other such pipes to form a pipe section. If anything, Hosoya can be said to teach away from the claimed limitation of providing a plurality of pipes that are butt-welded together. The citation to Huntsinger does not cure these fundamental deficiencies in Hosoya. Huntsinger is understood to be directed to drill string members comprised of thin and thick walled sections. The novel drill string members disclosed therein are purportedly better able to withstand the wear and tear associated with the use of slips and tongs when tripping the drill string in and out of a well. Col. 2, l. 56 – Col. 3, l. 19. However, at no point does Huntsinger disclose or suggest the formation of a pipe section comprised of a plurality of pipes that are butt-welded to one another.

It is respectfully submitted that any attempt to assert that the invention defined by independent claim 19 is obvious in view of the prior art of record is necessarily based upon an improper use of hindsight using Applicant's disclosure as a roadmap. A recent Federal Circuit case makes it crystal clear that, in an obviousness situation, the prior art must disclose each and every element of the claimed invention, and that any motivation to combine or modify the prior art must be based upon a suggestion in the prior art. *In re Lee*, 61 U.S.P.Q.2d 143 (Fed. Cir. 2002). Conclusory statements regarding common knowledge and common sense are insufficient to support a finding of obviousness. *Id.* at 1434-35.

Independent claim 34 has been amended to recite that the first section of pipe is comprised of a plurality of lengths of pipe wherein adjacent lengths of pipe are butt-welded to one another. It is believed that claim 34 is allowable over the prior art of record for the same reasons set forth above with respect to the incorporation of a similar limitation in claim 19.

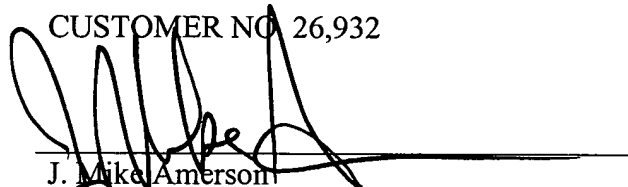
Independent claim 50 is likewise believed to be allowable for at least both of the reasons set forth above for claim 19.

Independent method claim 60 is likewise believed to be allowable for the reasons set forth above in discussing claim 19 with respect to the plurality of butt-weld pipes.

In view of the foregoing, it is respectfully submitted that all pending claims are in condition for immediate allowance. The Examiner is invited to contact the undersigned attorney at (713) 934-4055 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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